

Exhibit 3

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

BANSHEE INDUSTRIES, LLC, a
Pennsylvania limited liability company,
Plaintiff,

v.

HERITAGE COAL & NATURAL
RESOURCES, LLC,
Defendant.

Civil Action No. 3:24-cv-233

Hon. Stephanie L. Haines

**PLAINTIFF'S RESPONSES AND OBJECTIONS TO DEFENDANT HERITAGE
COAL & NATURAL RESOURCES, LLC'S JURISDICTIONAL DISCOVERY
REQUEST FOR PRODUCTION OF DOCUMENTS AND REQUESTS FOR
ADMISSION**

The following general objections apply to each of Defendant's requests and are incorporated by reference in each of Plaintiff's specific responses thereto:

1. Plaintiff objects to each of Defendant's definitions, instructions, interrogatories and requests to the extent that the information sought is protected from disclosure by the work product doctrine, the attorney-client privilege, or any other privilege or protection from discovery, on the grounds that such information is not properly discoverable.

2. Plaintiff objects to each of Defendant's definitions, instructions, interrogatories and requests to the extent that they seek confidential or proprietary business information or confidential personal information. Plaintiff will respond to the extent the information is responsive and not subject to other objections.

3. Plaintiff objects to each of Defendant's definitions, instructions, interrogatories and requests to the extent they purport to impose obligations upon Plaintiff beyond those stated in the Federal Rules of Civil Procedure, the Local Rules of this Court, and/or applicable statutes and case law.

4. Plaintiff objects to each of Defendant's definitions, instructions, interrogatories and requests to the extent they seek information that was provided previously to Defendant.

5. Plaintiff objects to each of Defendant's definitions, instructions, interrogatories and requests to the extent they seek information readily or more accessible to Defendant from Defendant's own files, including, without limitation, documents produced by Plaintiff to Defendant.

6. Plaintiff objects to each of Defendant's definitions, instructions, interrogatories and requests to the extent that they imply the existence of facts, circumstances, or documents that did not or do not exist.

7. Plaintiff objects to each of Defendant's definitions, instructions, interrogatories and requests to the extent that they attempt to define or utilize terms other than their ordinary, common meaning.

8. Plaintiff objects to each of Defendant's definitions, instructions, interrogatories and requests on the grounds that they are vague, overly broad, and unduly burdensome.

9. Plaintiff objects to each of Defendant's definitions, instructions, and requests to the extent that they impermissibly call for legal conclusions.

10. Plaintiff's discovery and investigation relating to the claims in this matter is ongoing. Plaintiff's responses to Defendant's requests and interrogatories are based upon such information as is available to Plaintiff at the time of such responses. Plaintiff reserves the right to amend or supplement these responses as additional information becomes available upon further investigation and through additional discovery.

11. Plaintiff submits these responses to Defendant's requests and interrogatories without conceding relevancy, materiality, or admissibility of any document or information

provided, and without prejudice to its right to object to further discovery of the admissibility of any such document or information.

REQUESTS FOR THE PRODUCTION OF DOCUMENTS

1. All IRS Form 1040s filed by or on behalf Angela Svonavec or Jason Svonavec for the tax years 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023.

This request does not include accompanying schedules that typically follow a taxpayer's IRS Form 1040. Income and expense information reported on the returns such as "adjusted gross income" may be redacted.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, and after conferring with Defendant's counsel, Plaintiff is providing documents responsive to this request in a redacted fashion. To the extent Plaintiff obtains additional documents responsive to this request, Plaintiff reserves the right to supplement this response.

2. All Schedule A (Form 1040), Itemized Deductions included with any IRS Form 1040 filed by or on behalf Angela Svonavec or Jason Svonavec for the tax years 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023. Information other than that Relating To home mortgage interest may be redacted.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, and after conferring with Defendant's counsel, Plaintiff is providing documents responsive to this request in a redacted fashion. To the extent Plaintiff obtains additional documents responsive to this request, Plaintiff reserves the right to supplement this response.

3. All IRS Form 1098s provided to Angela Svonavec or Jason Svonavec for the tax years 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, Plaintiff is not in possession of documents responsive to this request.

4. All PA-40 Pennsylvania Income Tax Returns filed by or on behalf Angela Svonavec or Jason Svonavec for the tax years 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, and 2023. This request does not include accompanying schedules that typically follow a taxpayer's Pa-40 Pennsylvania Income Tax Return. Income and expense information reported on the returns such as "Adjusted PA Taxable Income" may be redacted.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, and after conferring with Defendant's counsel, Plaintiff is providing documents responsive to this request in a redacted fashion. To the extent Plaintiff obtains additional documents responsive to this request, Plaintiff reserves the right to supplement this response.

5. The "IRS examining agent's reports concerning the 2015 and 2016 federal income tax returns of the taxpayers," as referenced in the April 18, 2021 letter sent by LeRoy Metz to Ms. Nina M. Miklos of the Internal Revenue Service filed at ECF No. 35-1 in *United States v. Jason Svonavec*, 2:23-cr-264, Western District of Pennsylvania.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to the request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects on the basis that the request is intended to annoy, harass, oppress, or embarrass Jason Svonavec and Angela Svonavec and the request is not proportional to the needs of the limited

scope of discovery on the issue of citizenship of the parties.

6. All financial statements and affidavits provided by Angela Svonavec and Jason Svonavec to the Internal Revenue Service or Department of Justice in connection with any investigation or litigation conducted by the federal government for the 2015 tax year. Income and expense information reported on the financial statements and affidavits may be redacted.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to the request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects on the basis that the request is intended to annoy, harass, oppress, or embarrass Jason Svonavec and Angela Svonavec and the request is not proportional to the needs of the limited scope of discovery on the issue of citizenship of the parties. By way of further response, Plaintiff does not have documents responsive to this request.

7. All financial statements and affidavits provided by Angela Svonavec and Jason Svonavec to the Internal Revenue Service or Department of Justice in connection with any investigation or litigation conducted by the federal government for the 2016 tax year. Income and expense information reported on the financial statements and affidavits may be redacted.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further incorporates its response to Request 6.

8. All financial statements and affidavits provided by Angela Svonavec and Jason Svonavec to the Internal Revenue Service or Department of Justice in connection with the criminal case *United States v. Jason Svonavec*, 2:23-cr-264, Western District of Pennsylvania. Income and expense information reported on the financial statements and

affidavits may be redacted.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further incorporates its response to Request 6.

9. All current or prior operating agreements of Banshee Industries, LLC.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, Plaintiff is providing documents responsive to this request.

10. All current or prior operating agreements of Heritage House Coal, LLC.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, Plaintiff is providing documents responsive to this request.

11. All current or prior operating agreements of Angela's Interest, LLC.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, Plaintiff is providing documents responsive to this request.

12. All current or prior operating agreements of Jason's Interest, LLC.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, Plaintiff is providing documents responsive to this request.

13. All voter registration cards issued to Angela Svonavec by the state of Pennsylvania or the state of Florida.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it asks for "all" voter registration cards without any temporal limitation. Subject to and without waiving any objections, Plaintiff is providing Angela Svonavec's current voter registration in the State of Florida in response to this request.

14. All voter registration cards issued to Jason Svonavec by the state of Pennsylvania or the state of Florida.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects on the basis that the purpose of this request is to annoy, harass, oppress, or embarrass Jason Svonavec and the request is not proportional to the needs of the limited scope of discovery on the issue of citizenship of the parties.

15. All driver's licenses issued to Angela Svonavec by the state of Pennsylvania or the state of Florida.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that it is overly broad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it asks for "all" driver's licenses without any temporal limitation. Subject to and without waiving any objections, Plaintiff is providing Angela Svonavec's current driver's license issued in the State of Florida in response to this request.

16. All driver's licenses issued to Jason Svonavec by the state of Pennsylvania or the state of Florida.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects on the basis that the purpose of this request is to annoy, harass, oppress, or embarrass Jason Svonavec and the request is not proportional to the needs of the limited scope of discovery on the issue of citizenship of the parties.

17. All Documents Relating To Jason Svonavec's alleged assignment of his membership interest in Banshee Industries, LLC to Jason's Interest LLC on August 31, 2023.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, Plaintiff is providing documents responsive to this request.

18. All Documents Relating To Jason's Interest, LLC's alleged assignment of its membership interest in Banshee Industries, LLC to Angela Svonavec on June 1, 2024.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, Plaintiff is providing documents responsive to this request.

19. All Documents Relating To Angela Svonavec's alleged assignment of her membership interest in Banshee Industries, LLC to Angela's Interest LLC on June 1, 2024.

RESPONSE: Plaintiff incorporates all general objections set forth above. Subject to and without waiving any objections, Plaintiff is providing documents responsive to this request.

20. All Documents Relating To any pet groomer or pet kennel utilized by Angela Svonavec or Jason Svonavec from January 1, 2023 until the present.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information about Jason Svonavec. Plaintiff further objects on the basis that the purpose of this request is to annoy, harass, oppress, or embarrass Jason Svonavec and the request is not proportional to the needs of the limited scope of discovery on the issue of citizenship of the

parties. To the extent Plaintiff obtains additional documents responsive to this request, Plaintiff reserves the right to supplement this response.

21. All Documents Relating To any involvement in a social club, country club, or charitable organization by Angela Svonavec or Jason Svonavec from January 1, 2023 until the present.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information about Jason Svonavec. Plaintiff further objects on the basis that the purpose of this request is to annoy, harass, oppress, or embarrass Jason Svonavec and the request is not proportional to the needs of the limited scope of discovery on the issue of citizenship of the parties. Subject to and without waiving any objections, and to the extent the request relates to information concerning Angela Svonavec, Plaintiff is providing documents responsive to this request that it has in its possession. To the extent Plaintiff obtains additional documents responsive to this request, Plaintiff reserves the right to supplement this response.

22. Bank statements or credit card statements from January 1, 2022 to the present reflecting purchases of gasoline for a personal vehicle by Angela Svonavec or Jason Svonavec.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information about Jason Svonavec. Plaintiff further objects on the basis that the purpose of this request is to annoy, harass, oppress, or embarrass Jason Svonavec and the request is not proportional to the needs of the limited scope of discovery on the issue of citizenship of the parties. Subject to and without waiving any objections, and to the extent the request relates to

information concerning Angela Svonavec, Plaintiff is providing documents responsive to this request that it has in its possession. To the extent Plaintiff obtains additional documents responsive to this request, Plaintiff reserves the right to supplement this response.

23. Flight logs reflecting flights from January 1, 2022 for any aircraft used by Angela Svonavec or Jason Svonavec that are in the possession of Angela Svonavec or Jason Svonavec.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information about Jason Svonavec. Plaintiff further objects on the basis that the purpose of this request is to annoy, harass, oppress, or embarrass Jason Svonavec and the request is not proportional to the needs of the limited scope of discovery on the issue of citizenship of the parties. Subject to and without waiving any objections, and after consulting with Defendant's counsel, Plaintiff is providing documents responsive to this request that it has in its possession. To the extent Plaintiff obtains additional documents responsive to this request, Plaintiff reserves the right to supplement this response.

24. The civil complaint filed on June 18, 2019 by Jason R. Svonavec and Angela Svonavec against Ron McIntosh in Somerset County at Docket Number MJ-16306-CV-0000047-2019.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to this request on the basis that it is overly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence. Plaintiff further objects to this request on the basis that it seeks information in the public record which is equally available to Defendant. Subject to and without waiving any objections, Plaintiff is not in

possession of documents responsive to this request.

REQUESTS FOR ADMISSION

1. As of October 7, 2024 at 11:00 A.M. Eastern, Angela's Interest, LLC was considered administratively dissolved under Florida law governing Florida limited liability companies.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff objects further on the basis that the request is vague and ambiguous as to the use of the term "considered". Subject to and without waiving any objections, it is admitted only that at the time set forth in the above request Angela's Interest, LLC was noted as "administratively dissolved" on the State of Florida Division of Corporations website.

2. Angela Svonavec is married to Jason Svonavec.

RESPONSE: Admitted.

3. Jason Svonavec is a resident and citizen of Pennsylvania.

RESPONSE: Admitted.

4. Angela Svonavec is a member of the Rockwood Alliance Church located in Pennsylvania.

RESPONSE: Defendant objects to the request to the extent it is vague, unclear, and ambiguous as to the definition of the word “member.” Subject to and without waiving any objection, and to the extent a response is deemed necessary, the request is Denied. By way of further response, Angela has attended services at the Rockwood Alliance Church in the past but denies being a “member” of the church.

5. Cenneth and Dorothy Younkin are the parents of Angela Svonavec, and Cenneth and Dorothy Younkin are citizens of Pennsylvania.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to the request on the basis that the request vague, ambiguous and unclear as to the use of the word “citizens”. Subject to and without waiving any objection, Plaintiff admits that, to the extent of its knowledge, the individuals named in the request own property in Pennsylvania, are registered to vote in Pennsylvania, and/or spend a majority of their time in Pennsylvania. To the extent the foregoing factors establish someone as a “citizen”, the request is admitted.

6. Spencer Svonavec is the son of Angela Svonavec, and Spencer Svonavec is a citizen of Pennsylvania.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to the request on the basis that the request vague, ambiguous and unclear as to the use of the word “citizens”. Subject to and without waiving any objection, Plaintiff admits that, to the extent of its knowledge, the individual named in the request owns property in Pennsylvania, is registered to vote in Pennsylvania, and/or spends a majority of their time in Pennsylvania. To the

extent the foregoing factors establish someone as a “citizen”, the request is admitted.

7. Sydney Beam is the daughter of Angela Svonavec, and Sydney Beam is a citizen of Pennsylvania.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects to the request on the basis that the request vague, ambiguous and unclear as to the use of the word “citizens”. Subject to and without waiving any objection, Plaintiff admits that, to the extent of its knowledge, the individual named in the request owns property in Pennsylvania, is registered to vote in Pennsylvania, and/or spends a majority of their time in Pennsylvania. To the extent the foregoing factors establish someone as a “citizen”, the request is admitted.

8. Casey Schrift is the sister of Angela Svonavec, and Casey Schrift is a citizen of Pennsylvania.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff incorporates all general objections set forth above. Plaintiff incorporates all general objections set forth above. Plaintiff further objects to the request on the basis that the request vague, ambiguous and unclear as to the use of the word “citizens”. Subject to and without waiving any objection, Plaintiff admits only that, to the extent of its knowledge, the individual named in the request owns property in Pennsylvania, is registered to vote in Pennsylvania, and/or spends a majority of their time in Pennsylvania. To the extent the foregoing factors establish someone as a “citizen”, the request is admitted. The request is denied to the extent that it states that Casey Schrift is Angela Svonavec’s sister, she is Angela Svonavec’s sister-in-law.

9. Angela Svonavec is an owner of 192 Stone Ridge Lane, Rockwood, Pennsylvania.

RESPONSE: Admitted.

10. Banshee Industries, LLC's address is 550 Beagle Road, Rockwood, Pennsylvania 15557.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects on the basis that the request is vague, ambiguous and unclear as to the meaning of the word "address". To the extent the request is referring to a mailing address, the request is admitted.

11. Banshee Crane and Farm, LLC's address is in Pennsylvania.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects on the basis that the request is vague, ambiguous and unclear as to the meaning of the word "address". To the extent the request is referring to a mailing address, the request is denied. Banshee Crane and Farm, LLC is the former name of Banshee Farms, LLC. Plaintiff is without sufficient knowledge as to any entity currently operating under the name Banshee Crane and Farm, LLC and is therefore unable to admit or deny as to where such an entity may have an address. To the extent this request requests Plaintiff to admit or deny that Banshee Farms, LLC's mailing address is in Pennsylvania, the request is admitted.

12. Fearless One Inc.'s address is in Pennsylvania.

RESPONSE: Plaintiff incorporates all general objections set forth above. Plaintiff further objects on the basis that the request is vague, ambiguous and unclear as to the meaning of the word "address". To the extent the request is referring to a mailing address, it is admitted that Fearless One receives and accepts mail addressed to it in Pennsylvania. By way of further response, Fearless One Inc. is a Delaware corporation and its registered address is in the State of Delaware.

13. Heritage Coal & Natural Resources, LLC's address is in Pennsylvania.

RESPONSE: Plaintiff objects to this request as it seeks information beyond the scope of Plaintiff's knowledge. Plaintiff further objects to this request as it seeks information that is equally available to Defendant, Defendant is in a far better position than Plaintiff to know its own address. Plaintiff further objects on the basis that the request is vague, ambiguous and unclear as to the meaning of the word "address". To the extent a response is deemed necessary, it is admitted that Plaintiff believes Defendant has a mailing address in Pennsylvania.

Respectfully submitted,

MORELLA & ASSOCIATES,
A Professional Corporation

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Dated: October 18, 2024

Counsel for Plaintiff

CERTIFICATE OF SERVICE

This is to certify that on October 18, 2024, a true and correct copy of the foregoing document was served upon all known counsel of record via email.

By: /s/ Dean R. Phillips
Counsel for Plaintiff